

Appl. No. : 10/647,693
Filed : August 25, 2003

COMMENTS

Claims 1-33 are pending in the present application, Claims 1 and 12 having been amended, and new Claims 25-33 having been added. The claims set forth above include marking to show the changes made by way of the present amendment, deletions being in ~~strikeout~~ and additions being underlined.

In response to the Office Action mailed December 3, 2004, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

New Claims 25-31 Are In Condition For Allowance

Claims 2 and 16 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant wishes to thank the Examiner for the indication of allowable subject matter. In order to expedite the issuance of the allowable claims, the claims that were objected to have been placed in independent form as explained in detail below.

Claim 2 was dependent upon independent Claim 1. New Claim 25 has been added, and includes the subject matter of Claims 1 and 2 as previously pending. New Claims 26-28, have been added and depend from new Claim 25. Claims 26-28 are patentable not only because they depend from Claim 25, but on their own merit. Accordingly, pending Claims 25-28 are in condition for allowance.

Claim 16 was dependent upon independent Claim 12. New Claim 29 has been added, and includes the subject matter of Claims 12 and 16 as previously pending. New Claims 30-31 have been added and depend from new Claim 29. Claims 30-31 are patentable not only because they depend from Claim 29, but on their own merit. Accordingly, pending Claims 29-31 are in condition for allowance.

New Claims 32-33 Are In Condition For Allowance

In the Office Action mailed December 3, 2004, Claims 1, 3-15 and 17-24 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 6,314,934 to Ito et al.

Regarding rejected Claims 8 and 21, the Examiner indicated that further defining the wall would likely be viewed favorably. Accordingly, Applicant has added new Claims 32-33 to clarify the relative positions of certain engine components. For example, in Claim 32, first and second oil pumps are positioned between said crankshaft and a bottom wall of

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said oil pan. Added Claims 32-33 are supported at least by Figure 4 and are distinguishable over the cited reference. Accordingly, pending Claims 32-33 are in condition for allowance.

Ito Does Not Anticipate Claims 1, 3-15 and 17-24

As shown in Fig. 1 of the Ito reference, the oil pump comprises the feed pump 31, sub-scavenging pump 33, and main scavenging pump 32 (the '934 patent at col. 6, ll. 28-34 and Fig. 1). As shown in Fig. 4, an oil pan or oil sumps 37 and 38 are located on the bottom of the crankcase 10 below the oil pump 30 (the '934 patent at col. 6, ll. 13-16 and Fig. 4; see also Fig. 3 schematically showing the oil pan or oil sumps 37 and 38 located below the oil pump 30). Accordingly, as shown in Fig. 4, the feed pump 31, sub-scavenging pump 33, and main scavenging pump 32, are positioned in the oil pump 30 within the crankcase 10 well above the chambers of the oil pan or oil sumps 37 and 38. Ito fails to teach oil pumps housed in a chamber of the oil pan.

In contrast, Claim 1 now recites that the first and second oil pumps are housed in the first side chamber of the oil pan. Claim 12 now recites that the lubricating means is located in the first side chamber of the oil pan. Support for these amendments is found at least in Figure 4. Accordingly, independent Claims 1 and 12 define over the cited art. Claims 2-11 and 13-24 are not only allowable because they depend from Claims 1 and 12, respectively, but also on their own merit.

Furthermore, regarding Claims 10 and 23, the Examiner has taken the position that the cited reference teaches that the vehicle body comprises a steering assembly with one or more skis. Applicants respectfully traverse the Examiner's rejections based on this assertion. Ito does not disclose or suggest a vehicle body comprising a steering assembly with one or more skis.

Regarding Claims 11 and 24, the Examiner has taken the position that the cited reference teaches that the drive system comprises a drive track. Applicants respectfully traverse the Examiner's rejections based on this assertion. Ito does not disclose or suggest that the drive system comprises a drive track.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

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The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Respectfully submitted,

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